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6 **IN THE UNITED STATES DISTRICT COURT**  
7 **FOR THE DISTRICT OF ARIZONA**  
8

9 William James Gallenardo,

10 Petitioner,

11 v.

12 Unknown Gutierrez,

13 Respondent.  
14

No. CV-22-00357-TUC-SHR

**Order Accepting Report &  
Recommendation With No Objections**

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16 On June 14, 2023, Magistrate Judge Angela M. Martinez issued a Report and  
17 Recommendation (“R&R”) in which she recommended the Court dismiss Petitioner  
18 William James Gallenardo’s Petition for Writ of Habeas Corpus pursuant to 28 U.S.C.  
19 § 2241 (“Petition”) for lack of jurisdiction. (Doc. 23.) The R&R notified the parties they  
20 had fourteen (14) days from the date of the R&R to file any objections. (*Id.*) No objections  
21 have been filed.

22 If neither party objects to a magistrate judge’s report and recommendation, the  
23 District Court is not required to review the magistrate judge’s decision under any specified  
24 standard of review. *Thomas v. Arn*, 474 U.S. 140, 150 (1985). However, the statute for  
25 review of a magistrate judge’s recommendation “does not preclude further review by the  
26 district judge, *sua sponte* or at the request of a party, under a *de novo* or any other standard.”  
27 *Thomas*, 474 U.S. at 154.

28 The Court has reviewed the Petition (Doc. 1), the Respondent’s Answer (Doc. 13),

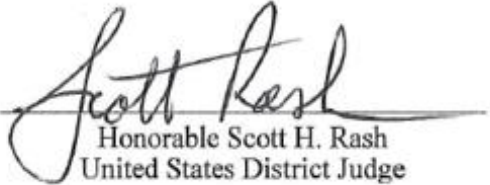
1 Petitioner's Reply (Doc. 21), and Judge Martinez's R&R (Doc. 23). The Court finds the  
2 R&R well-reasoned and agrees with Judge Martinez's conclusion that the Court lacks  
3 jurisdiction over the Petition.

4 **IT IS ORDERED** the R&R (Doc. 23) is **ACCEPTED** and Plaintiff's Petition for  
5 Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 (Doc. 1) is **DISMISSED**.

6 **IT IS FURTHER ORDERED** the Clerk of Court shall docket accordingly and  
7 **close this case**.

8 Dated this 4th day of August, 2023.

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Honorable Scott H. Rash  
United States District Judge